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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,989	09/19/2003	Stefan Rossmanith	34874-061 UTIL	5382
64280 7590 08/09/2007 MINTZ, LEVIN, COHN, FERRIS, GLOVSKY & POPEO, P.C. 9255 TOWNE CENTER DRIVE SUITE 600 SAN DIEGO, CA 92121			EXAMINER HOANG, HIEU T	
			ART UNIT 2152	PAPER NUMBER
			MAIL DATE 08/09/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/665,989

Applicant(s)

ROSSMANITH ET AL.

Examiner

Hieu T. Hoang

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. This office action is in response to the communication filed on 09/19/2003.
2. Claims 1-18 are pending and presented for examination.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Stewart et al. (US 2002/0161688, hereafter Stewart).

5. For claim 1, Stewart discloses an integrated message exchange system for collaborative business applications, comprising:

a message transport layer configured to transport messages from at least one sending application to one or more receiving applications (fig. 8, message handling and transport protocol between sending and receiving application of collaborators 216 and 218);

a business process layer configured to execute business process logic on selected messages processed by the message transport layer (fig. 8, [0130], business protocol management layer executes business process logic); and a persistence layer, accessible from both the message transport layer and the business process layer (fig. 8, conversation management layer), configured to store a reference to each messages processed by the message transport layer ([0140], conversation management tracks and manages business conversations, ensures that they are completed, and orchestrates the overall process execution, [0142], conversation context distinguishes among different business transactions, allows concurrent conversations, integrity and security, fig. 19, for stored information relating to each message).

6. For claim 2, Stewart further discloses a database, accessible via the persistence layer, for storing a copy of each of the messages corresponding to the message references stored in the persistence layer (fig. 19, message copy).

7. For claim 3, Stewart further discloses the message transport layer includes a physical address resolution service, and a transport service (fig. 8, transport layer).

8. For claim 4, Stewart further discloses a logical routing service for determining the one or more receiving applications based on the business

Art Unit: 2152

process logic (fig. 21, [0130], logical routes from incoming message to outgoing message according to conversation coordinator).

9. For claim 5, Stewart further discloses the business process layer includes a business process engine for executing the business process logic ([0130], business logics are executed at the business layer).

10. For claim 6, Stewart further discloses the business process logic is executed according to one or more business processes stored in a directory accessible by the business process engine (fig. 16, business processes accessible by business integration service).

11. For claim 7, Stewart further discloses the one or more business processes are accessed by the business process engine based on content of each selected message (fig. 16, engine executes workflow instances or business processes based on content of the instances from the instance store).

12. For claim 8, Stewart discloses in a message exchange system for collaborative business applications, the message exchange system including a message transport layer configured to transport messages from at least one sending application to one or more receiving applications and a business process layer configured to execute business process logic on select ones of the

Art Unit: 2152

messages processed by the message transport layer, a message persistency arrangement comprising:

a persistence layer, accessible by both the message transport layer and the business process layer (fig. 8, conversation management layer), configured to store a reference associated with each messages processed by the message transport layer ([0140], conversation management tracks and manages business conversations, ensures that they are completed, and orchestrates the overall process execution, [0142], conversation context distinguishes among different business transactions, allows concurrent conversations, integrity and security, fig. 19, for stored information relating to each message); and

a database accessible from the persistence layer for storing a copy of each messages corresponding to the message references stored in the persistence layer (fig. 19, stored information relating to each message, fig. 15, 16, template store, instance store).

13. For claim 9, Stewart further discloses a copy of a message is accessible from the database via access to the corresponding message reference from the persistence layer (fig. 19, message copy).

14. For claim 10, Stewart further discloses the persistence layer includes a machine-readable medium, and wherein each message reference includes a machine-readable signal (fig. 15, 16, storage devices, and signals traveling between components).

15. For claim 11, Stewart further discloses the message reference includes a message identifier (ID) (fig. 19, identifiers of a message (conversation, sender, receiver, message name)).

16. For claim 12, Stewart discloses in a collaborative business application landscape, a method for integrated message exchange, comprising:

receiving a message from a sending application (fig. 7, step 194, fig. 21, incoming message);

storing a copy of the message in a database; storing a reference to the message in a persistence layer (fig. 19, message copy, [0142], conversation context or reference to the message in the conversation manager);

executing at least one business process on the message (fig. 7 step 196, [0141], business process and rules on processing business messages); and

based on the message reference stored in the persistence layer, transporting the message to at least one receiving application (fig. 7 step 210, fig. 21, [0142], outgoing message to a recipient according to the conversation context of that message).

17. For claim 13, Stewart further discloses transporting the message includes resolving a physical address of the at least one receiving application (fig. 19, trading partner identifier and extended property set for addressing a message recipient).

18. For claim 14, Stewart further discloses accumulating, in the persistence layer, two or more message references of related messages ([0129], related messages are grouped to a conversation).

19. For claim 15, Stewart further discloses transporting the message includes: accessing and grouping the messages associated with the accumulated message references; and transporting the grouped messages to the at least one receiving application ([0129], related messages are grouped into a conversation, multiple conversations can be processed concurrently between trading partners).

20. For claim 16, Stewart further discloses executing the at least one business process includes: determining the at least one business process based on the message content; instantiating the at least one business process in a server; and executing the at least one instantiated business process with a business process engine (fig. 16, business processes are instantiated executed by an engine).

21. For claim 17, Stewart further discloses the executing the at least one instantiated business process utilizes the message reference in the persistence layer ([0142], message reference or context is utilized to recognize which conversation the message belongs to).



22. For claim 18, Stewart further discloses upon executing the at least one business process, sending the message reference to a message transport layer for transporting the message to at least one receiving application (fig.7, fig. 16, [0142], an engine executes business processes using contexts and transport the message to a receiving application).

### ***Conclusion***

23. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Elmore et al. US 2006/0059107.
- Bavadekar. US 7,117,267.
- Shamrakov. US 2002/0198800.
- Bansal et al. US 2003/0120593.
- Stewart et al. US 2002/0156693.
- Stewart et al. US 2002/0019797.
- Stewart et al. US 2002/0013759.
- Stewart et al. US 2002/0010741.

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hieu T. Hoang whose telephone number is 571-270-1253. The examiner can normally be reached on Monday-Thursday, 8 a.m.-5 p.m., EST.

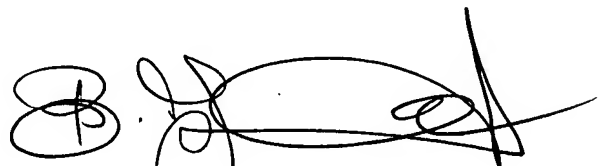
Art Unit: 2152

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hieu Hoang/  
HH

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